

Chairman Gene Bavis called the regular meeting of the Planning Board to order at 7:30 P.M. Members present were Chairman Gene Bavis, Elaine Leasure, Rick Johnson, Marlene Hall, Deborah Amsler and Karel Ambroz. Also present Phil Williamson, Code Enforcement Officer, Norm Druschel, Building Inspector, Brendan Bystrak, Town Engineer and Denise Munson, Town Attorney.

Rick Johnson made a motion, seconded by Elaine Leasure to approve the minutes of March 11, 2013 as presented.

Motion carried.

Application of J.K. Premier Construction for preliminary & final Subdivision and Site Plan approval for the proposed indoor/outdoor sports facility to be called Your Sport's Depot, located on 856 State Route 441; 2800 ft. east of West Walworth Road. Property is zoned: B - Business. (Public Hearing).

Chairman Bavis explained to those present the procedure for the public hearing for the Your Sports Depot project, saying that this was an opportunity for the public to ask questions and offer their comments. Brendan Bystrak, Town Engineer (LaBella Associates) gave an update of the progress so far. He explained that LaBella Associates has reviewed the application materials and that there have been several meetings with the applicant, sponsors, engineering consultants and Town employees to discuss the various aspects of the project. The Planning Board has also met several times with the applicant and on February 11, 2013 the Planning Board declared itself the lead agency for the project. Brendan Bystrak reported that an Environmental Review (SEQR Long Form) has been prepared. He has reviewed the following documents: Traffic Impact Study with input from the NYS Department of Transportation, the Water System Report, Septic System Reports and a Storm Water Pollution Prevention Plan (SWPPP) as well as the Subdivision and Site Plan Drawings and Architectural Plans. A few minor aspects of the outdoor lighting need to be discussed, but the Town Engineer was satisfied that the application and supporting documentation was ready to be sent to the Wayne County for their review.

Chairman Bavis explained that the Planning Board cannot act until after Wayne Country Planning Board reviews the application and replies back with their feedback. Further, depending on the outcome of tonight's public hearing and if the application is deemed ready for submittal to the County, it would be reviewed at the Wayne County Planning Board on April 24, 2013. Chairman Bavis said that tonight's, April 8th public hearing will remain open and continue at the next Planning Board meeting on May 13, 2013 for public comment.

Chairman Bavis asked for a brief overview of the project. Kris Schultz, Consulting Engineer for Schultz Associates, 129 South Union Street, P.O. Box 89, Spencerport, NY 14559 spoke to the Planning Board. (The Board was in receipt of the latest revision of the plat plan prepared by Schultz Associates, prepared 11/09/2012 and revised 3/5/2012 as well as the architectural plans prepared by Fenity Associates, Architects, 129 South Union Street, Spencerport, NY dated 11/08/2012, revised 1/24/2013.). Mr. Schultz explained that the application is for a two lot subdivision and site plan approval for an indoor/outdoor sports facility. The project site is located on the south side of State Route 441 and will share the existing driveway that services the self-storage business to the east of the site. The building will be on the 23.4 acre parcel to be subdivided from the 147 acre parcel currently owned by Emil Weber. Mr. Weber will continue to use the remaining 123.6 acres for agricultural purposes.

The proposed project will include two indoor soccer fields, three indoor basketball courts, indoor training area, concession area and preschool. Outside will be two full-size soccer fields with synthetic turf. Kris Schultz said that the facility will be focused on youth and

providing practice fields for youth sports. Parking will accommodate 266 vehicles with 145 paved spaces along the south side of the building and 121 gravel spaces along the outdoor fields.

The project will be serviced by public water and natural gas. A new water main will be installed, by tapping into an existing water main located on the north side of Route 441 across from the project. Although connection to the existing sanitary sewer system would be possible, for various reasons it is not proposed and a private septic system has been designed.

A storm sewer system has also been designed for the site that will discharge into the storm water detention facility. Erosion control measure will be taken during the construction phase to control runoff.

Kris Schultz reported that they retained SRF to conduct a traffic study for the complex and the New York State Department of Transportation has also visited the site and offered their suggestions. It was determined that no modifications to the existing driveway or curb cut would be necessary, nor would turn lanes or a traffic light be warranted. It was acknowledged that although the sight distance is not ideal, it was the optimal location and locations further to the west would not be as good. The applicant has agreed to add signage to warn eastbound traffic of

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the upcoming intersection. Peak hour traffic counts were obtained as part of the study and projections of increased traffic that may be generated.

Mr. Schultz reported that they had met with the Walworth Fire Department to discuss fire access and a turnaround is part of the plan. Fire hydrants will be installed along the parking lot. The building is constructed with many exits and all points around the building will be adequately covered from a fire safety standpoint.

A landscaping plan is proposed. The building is 100 feet off of the road and the elevation is set several feet below the elevation of Route 441 to be less obvious from the road. The fields to the south plateaued down. Landscaping will be provided along the north of the building. The building and parking areas will have lighting as well as the outside fields during the Spring, Summer and Fall months when in use. All outdoor field activities would end at 10 P.M. Mr. Schultz said that he is working with the Town Engineer the type of lighting system to install and they are agreeable to a staged lighting system that uses no more lighting than is necessary for the type of sport, for example soccer would need less lighting than lacrosse.

Norman Druschel has reviewed the preliminary architectural plans. He said that portions of the building will need to be sprinklered.

Lawrence Fenity, Architect for the project was asked to give an overview of the building itself. Mr. Fenity commented that it was a rather massive building: 119,000 sq. ft. long and 700 ft. in length.

The height and length of the building is necessary to accommodate the fields and other rooms inside. The two large indoor fields will be used for soccer and lacrosse and the center area will have three multi-purpose basketball (or volleyball) courts. A warm-up training room will also serve as a karate studio. A gathering or party room, concession area, offices and mechanical space are also part of the interior. Mr. Fenity said that the building is designed with flexibility in mind and is a practice facility rather than a spectator facility. There will be a closed circuit system in the concession area for parent to view their children while they practice. The preschoolers will be able to make use of the indoor playing fields when they are available.

Chairman Bavis asked John Webster, Director of Customer Experience to explain the program.

Mr. Webster said that the primary focus is on youth programming with approximately 90% of its business youth related (soccer, lacrosse, basketball – local and travel leagues). There is a tremendous need for this type of facility, especially on the east side of Rochester with many parents traveling as far as Buffalo and beyond. Classes in kickboxing and martial arts will be offered. Healthy living is emphasized and the concession area will offer healthy options such as turkey wraps with no fried foods. There will be absolutely no alcohol served and no future plans for alcohol. John Webster said that the preschool facility will be staffed with NYS certified teachers with morning and afternoon classes. He said that there is a need for preschool programs, as many area preschools are currently filled. It was emphasized that it is not a daycare center.

Chairman Bavis opened the public hearing.

Pat Arcoli, President of the Rochester Rhinos stated that he has been in the profession for 45 years at both the professional and youth level. He said there is a big need, not only for soccer but also lacrosse. It will be a state-of-the art facility and the synthetic fields (astroturf) will be an asset. Access to such fields from mid-April to late fall is something that you do not find in the Rochester community. He also said youth soccer for girls is growing at a fast rate, and to have these types of facilities with the proper fields to demonstrate their skills is important. He said, “I don’t look at this as pie-in the sky, but something that will be very successful.”

Mark Boss, 677 Route 441 said he lives about a quarter of a mile from the site on the north side of Route 441. “I wish I shared everyone’s enthusiasm, but I can’t say that I do. I never have been a big sports enthusiast, as apparently others in the room. I built my house six years ago and enjoy the quiet rural element.” Mr. Boss expressed concerns about the potential noise and traffic and said that although some of these issues had been addressed, they are “projections about what might occur and what might not occur and even the success of the facility is somewhat in question.” Mr. Boss said that as he drives around the County and State similar properties have been abandoned. He said, “This seems to be a project that is impinging on the rural nature of surrounding properties.” He also was concerned about property values of nearby residences, especially if this project grows and other commercial properties are added in the future. Kris Schultz said that the area is zoned for commercial use since 2003. Mr. Boss said that he wished someone had made him aware of the possibility when he was about to build his house. He was told that this information is always public and it is up to resident to do the research before purchasing the property.

Michelle Tullock, 920 Route 441 said that she lives next door, east of the site. She stated, “I’m not saying I’m in favor or not in favor. I am more worried about the traffic and would encourage a traffic engineer or someone to sit in my driveway and watch the crotch rockets fly over that hill and doing wheelies and cars passing at 55 mph as they go over that hill.” She expressed that it is difficult getting out of her driveway and on occasion has had to “floor it” as someone flies over the hill. Personally, she is concerned for her own family as well as other motorists. She would like to see the speed limit reduced. She noted that there have been accidents pulling out of Carey Lake. Chairman Bavis advised that the process of reducing the speed limit would be for a petition to be submitted to the Town Board for consideration, and the Town Board would forward the request to the State Department of Transportation for their review. Discussion ensued regarding the process. Kris Schultz said

that it can be a difficult and lengthy process.

Virginia Boss, 677 Route 441 asked what the estimated traffic count. Brendan Bystrak said that the results of the traffic study estimated a rate of 144 vehicles on Saturday during peak times and 133 vehicles per hour on weekdays. Mrs. Boss was also concerned about traffic, saying that she takes her life into her hands when she crosses the street to get to the mailbox. People do not slow down now. Mrs. Boss also asked about landscaping and was told that there is a landscaping plans and many of the existing trees and bushes will be maintained and additional landscaping will be added along the building.

John Ellsworth, 3773 West Walworth Road began by saying, "I recently purchased some acreage from a neighbor and it took four months, so I hope that you don't rush the process." He said that he agreed with Michelle Tullock about the traffic and questioned the accuracy of the traffic study. It was his opinion that it would be similar to both the intersection of Route 441 and Route 350 and the intersection of Route 441 and Route 21 and all the accidents and deaths that occurred before traffic lights were installed. Mr. Ellsworth asked about the business plan and whether the applicant was asking for any public money. John Webster said they were not seeking public money. An hourly rate is charged for use of the fields and there are sponsorship opportunities. John Webster addressed the concerns about traffic safety and said that it is a valid concern that he shares, but felt that the signs posted in both directions will increase awareness of the driveway ahead and encourage people to slow down. The comment was made again, that the programs are focused on youth (primarily between the ages of 5 and 12) and most of the increase in traffic will be parents driving their young children back and forth to practice and they undoubtedly will be careful drivers. Discussion ensued about traffic concerns.

Kathy Voelkers, 703 Penfield questioned if they wanted to get the speed limit lowered, what would we citizens do. Again, Chairman Bavis said that the first step would be to speak to the Town Board. Town Board member, Thomas Yale explained the process in detail, saying that the Department of Transportation looks closely at accident rates and there often have to be many incidents before the speed limit is lowered, as they have a goal of keeping the traffic moving. Mrs. Voelkers said that she had concerns about traffic, lighting and what future buildings may be built. She also said, "I have an open mind, if it could reduce taxes, I'm all for that, but I'm most concerned about traffic and fatalities. I have lived there for 30 years and it is not easy to get out of my driveway and I envision a stream of traffic going east on Route 441." She agreed with others who mentioned how slippery the hill gets in the winter.

Mike Bagne, 3584 Walworth-Ontario Road. Mike Bagne spoke in support of the project, saying that a commercial business will be beneficial for the tax base. He added that he would welcome this type of business instead of other businesses, such as a chemical plant or factory that could add pollutants. This business is focused on youth and will bring business to the town and will be compatible with the neighborhood.

Brendan Bystrak made two more comments. First, there is no exterior PA system, no music and no concerts. Second, the width of the access is 21 feet (one lane in and one lane out) and he does not recommend widening the driveway. All exiting traffic will share one lane. By not widening the driveway, it will prevent an exiting vehicle from turning right (east) when a vehicle is waiting to turn left (west) which could present obstruction to the line of sight.

Concept discussion by Alex Tamoutselis about development of property located at 3655 High Street (Academy Apts.) Property is zoned: Hamlet

Alex Tamoutselis, owner of the property was present along with the architect Peter L. Morse, 875 East Main Street, Suite 300, Rochester, NY 14605. Peter Morse presented to the Planning Board members preliminary drawings (exterior elevation drawings and interior floor plans) for a proposed 39 unit 3-story apartment building at 3655 High Street, the site of the former Academy Street Apartments (originally the Walworth Academy School). As the building has fallen into disrepair the plan is to tear down the original building and use the

existing foundation and possibly part of the basement for the new building. The original one-story wing will be renovated with combination of one-bedroom and studio units, a rental office, community room and laundry room. Construction would be wood frame with vinyl siding and shutters and look more residential

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than the current building. The apartments would be energy efficient, code compliant and have a sprinkler system. Additional parking would have to be added, probably in the rear to meet zoning requirements. The building will be taken down and disposed of properly and any asbestos will be dealt with according to building code requirements.

The apartments would not be subsidized and would be market rate. Chairman Bavis asked if there would be any two-bedroom apartments. Mr. Morse said that a marketing study was done and although they are considering some two-unit apartments, they are trying to keep the cost to approximately \$1.00 a square foot or \$765.00/month for a one-bedroom unit. A two-room unit would have to rent for about \$1,100-1,200/month and may be priced outside of what the market could support in this area. The apartments are primarily designed for senior and young couples.

Karel Ambroz asked if there would be full-time manager. Mr. Morse said that there would be a rental office in building, but he wasn't sure if the manager would live on site. Alex Tamoutselis said there would be security camera installed.

Elaine Leasure questioned whether Mr. Tamoutselis operated other apartment buildings. He said that he operates ten double houses on one lot in the Town of Greece, but not one like proposed. Chairman Bavis commented that the reasoning for asking that question is because the management of the previous Walworth Apartments "was not good and that is the reason it looks like it does today". Mr. Tamoutselis said that he is investing a substantial amount of money and can guarantee it won't look like that again.

Rick Johnson commented that the current building is unsafe and questioned when he anticipates the process of tearing it down. Mr. Tamoutselis said that he would like to start immediately after the approval is granted by the Planning Board.

The Board did not have any further questions at this point. Karel Ambroz said that he would like to see some more details. Chairman Bavis said that it seem like the Board was not opposed to the concept and asked when a formal application would be submitted. Mr. Tamoutselis said that he would like to submit the application as soon as next month.

Peter Morse asked if the area was zoned for apartments and Chairman Bavis confirmed it met zoning requirements. He also said that Mr. Tamoutselis may need something from the Town saying that there is preliminary approval in order to get financing for the project. Chairman Bavis suggested that a copy of the minutes saying that the Board reviewed the plan and had no concerns at this time. Chairman Bavis said that the next step would be a formal application for site plan approval. A public hearing would need to be scheduled.

Other – Application of Ray Appleman for 2-Lot Realty Subdivision at 4575 Walworth-Ontario Road pending review by Town Engineer. Property is zoned: RR-1: Rural Residential 1 acre.

Chairman Bavis informed the Planning Board members that the application was not submitted by the deadline for the April meeting and the public hearing would be scheduled for the May 13th meeting.

Other – Application of Thomas Sulli for Reapproval of Lot 1 of the Scalzo Subdivision located at 5081 Fosdick Road pending review by Town Engineer. Property is zoned: RR-1: Rural Residential 1 acre.

Chairman Bavis informed the Planning Board members that Brendan Bystrak would have to review the site plan, as the septic system has been redesigned. The original transpiration system is no longer allowed by the NYS Department of Health. The Board was in receipt of a map showing the redesign of the septic system entitled, "Sulli Site Plan, 5081 Fosdick Road, prepared by Shelley Associates, P.E., L.S., P.C., P.O. Box 42, Walworth, NY 14568, dated 03/20/2013. Brendan Bystrak said that he had spoken with Fred Shelley and he confirmed that the map has been forwarded to the NYS DOH as required. Once approval is granted by the State, the Planning Board can reapprove the site plan for Lot 1.

Chairman Bavis adjourned the meeting at 9:05 P.M.

Gail Rutkowski, Clerk

